

**ASSEMBLY BILL**

**No. 1724**

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**Introduced by Assembly Member Waldron**

January 28, 2016

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An act to add Division 16.8 (commencing with Section 39100) to the Vehicle Code, relating to unmanned aircraft.

LEGISLATIVE COUNSEL'S DIGEST

AB 1724, as introduced, Waldron. Unmanned aircraft: identification requirements.

Existing federal law, the Federal Aviation Administration Modernization and Reform Act of 2012, provides for the integration of civil and public unmanned aircraft systems, commonly known as drones, into the national airspace system. Existing federal law generally requires an aircraft to be registered with the Federal Aviation Administration (FAA), prohibits a person from operating a United States registered aircraft unless that aircraft displays specified nationality and registration marks, and, unless authorized by the FAA, prohibits a person from placing on any aircraft a design, mark, or symbol that modifies or confuses those nationality and registration marks.

This bill would require, beginning January 1, 2017, a person or public or private entity that owns or operates an unmanned aircraft, as defined, to place specified identifying information or digitally store identifying information on that unmanned aircraft. The bill would exempt model aircraft, as defined, from that requirement. The bill would make a person or entity that violates that provision liable for a civil fine not to exceed \$2,500. The bill would authorize the Attorney General, a district attorney, county counsel, or a city attorney to bring an action to recover that fine, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Division 16.8 (commencing with Section 39100)  
is added to the Vehicle Code, to read:

DIVISION 16.8 UNMANNED AIRCRAFT

39100. For the purposes of this division, both of the following  
definitions shall apply:

(a) “Unmanned aircraft” means an aircraft that is operated  
without the possibility of direct human intervention from within  
or on the aircraft.

(b) “Model aircraft” means an unmanned aircraft that is all of  
the following:

(1) Capable of sustained flight in the atmosphere.

(2) Flown within visual line of sight of the person operating the  
aircraft.

(3) Flown strictly for hobby or recreational purposes.

(4) Does not weigh more than 55 pounds.

39101. (a) Beginning January 1, 2017, a person or public or  
private entity that owns or operates an unmanned aircraft that is  
not a model aircraft within this state shall do any of the following:

(1) Legibly and permanently affix, stamp, or mark on the  
unmanned aircraft, in a size that can be read by the naked eye  
without the use of magnification, identifying information that  
indicates each of the following:

(A) The name of the owner of the unmanned aircraft.

(B) The residential or business address of the owner of the  
unmanned aircraft.

(C) The telephone number of the owner of the unmanned  
aircraft.

(2) Store the information specified in paragraph (1) in a digital  
format on the unmanned aircraft. The digital information shall be  
stored in a manner that is readily accessible and retrievable.

(3) Legibly and permanently affix, stamp, or mark on the  
unmanned aircraft, in a size that can be read by the naked eye

1 without the use of magnification, an address for an active Internet  
2 Web site that lists the information specified in paragraph (1).

3 (b) If a person or public or private entity that owns or operates  
4 an unmanned aircraft affixes, stamps, or marks on the unmanned  
5 aircraft pursuant to paragraph (1) of subdivision (a), the person or  
6 public or private entity shall do so in a way that does not modify  
7 or confuse the nationality or registration marks required by the  
8 Federal Aviation Administration.

9 39102. A person or public or private entity that violates the  
10 provisions of Section 39101 shall be liable for a civil fine not to  
11 exceed two thousand five hundred dollars (\$2,500). A proceeding  
12 to recover the civil fines specified in this section may be brought  
13 in any court of competent jurisdiction by the Attorney General, a  
14 district attorney, county counsel, or a city attorney. Revenue from  
15 any fines collected pursuant to this section shall be deposited into  
16 the general fund for the city, county, or city and county, that  
17 brought the case, or, if brought by the Attorney General, the  
18 General Fund of this state.

19 39103. This division is not intended to conflict with or  
20 supersede federal law, including rules and regulations of the  
21 Federal Aviation Administration.